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FEDERAL COMMUNICATIONS COMMISSION
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

PR DOCKET No. 92-136

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RM-7849
RM-7895
RM-7896 MAIL BRANCH

ORIGINAL
FILE

In the Matter of

Amendment of Part 97 of the
Commission's Rules to Relax
Restrictions on the Scope of
Permissible Communications in
the Amateur Service.

To the Commission:

I. INTRODUCTION

1. These comments are in response to your proposed lessening of restrictions on the scope of permissible amateur radio communications and amendment to Section 97.113 of the Commission's Rules.

II. GENERAL COMMENTS

2. The Commission is to be commended for addressing the issues covered in this matter. Amateur radio is constantly evolving, and the issues raised in this NPRM are timely.

3. In general, I believe certain rules relaxations are timely, and that other issues should be considered in this NPRM.

4. Specifically, there should be no prohibition on amateur radio communications for parades, sports events, community-supported events (including charitable and fund raising activities), and public gatherings. I consider these activities to be within amateur radio's basic scope as a supportive and visible community resource. The same holds true for amateur radio "talk-in" at "hamfests" which are often commercial activities supporting the hobby.

5. Licensed amateur radio operators should be allowed to operate or demonstrate amateur radio equipment during times of compensated employment when amateur radio operation is either incidental to or directly related to that employment. This includes, without limitation, a full range of employment possibilities from teachers in a classroom to manufacturers and sellers of amateur radio equipment.

6. However, amateur radio operators should not be allowed to operate amateur radio equipment "for hire" (i.e., receiving financial or material compensation for transmitting third-party messages), in support of business operations associated with their place of employment, for personal business, for personal gain, or to routinely order goods and services.

7. Amateur radio should be allowed to facilitate the routine business affairs of amateur radio clubs (such as distribution of club newsletters by packet radio, and holding of "on-the-air" business meetings).

8. Finally, there should be no prohibition on the use of amateur radio for rebroadcasting audio and video transmissions of manned spacecraft missions, government and private weather alerts (including weather radar), other alerts which when transmitted would have community benefit, and the transmission of music when it is contained in the audio sub-carrier of a television signal.

III. OTHER CONCERNS

9. Many governmental jurisdictions and large corporations have installed amateur radio communications facilities for the purpose of using these installations in situations specifically related to emergencies or large-scale disasters.

10. The same is true for hospitals and public utilities. Most often, these installations are in privately owned or restricted access buildings. Usually, government workers (including military), hospital employees, or other personnel are the holders of amateur radio licenses and are the principal operators of this equipment. It is appropriate for the Commission to allow these compensated individuals to operate their employer's amateur equipment during times of emergencies and at other times for the purposes of training and equipment testing. Drills and tests should be conducted under the same provisions covering RACES stations, as referenced in section 97.407 of the Commission's Rules.

11. There should be no restriction on routine use of amateur radio equipment by employees when they are "off duty," or by other licensed amateur radio operators not employed or compensated by the owner of the amateur radio equipment (such as a hospital patient using amateur radio equipment for recreational purposes).

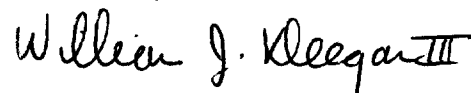
12. Attention should be given to the growing usage of "PL" (or CTCSS) tones, software control, and/or network restrictions to limit or exclude access to amateur radio systems including repeaters, "digipeaters," packet networks, bulletin board systems, and the like. Amateur radio operates in the public domain and no licensed amateur radio operator should be restricted from usage of these systems due to membership (or lack thereof) in a club or other association. Equally, "private" or limited access special-purpose networks or systems which do not serve the general amateur radio community should not be allowed to exist in the amateur radio service.

IV. ABOUT THE WRITER

13. I am licensed as Extra Class Amateur Radio Operator KG6XT and hold a General Radiotelephone Certificate. With over twenty year's experience in the field of telecommunications, and nearly thirty year's experience as a licensed amateur radio operator, I have devoted substantial effort towards disaster communications and amateur radio community support. I am a Life Member of both the American Radio Relay League and the Quarter Century Wireless Association, and a member of the Hamilton County (Indiana) ARES/RACES group.

14. Currently residing in Carmel, Indiana, I am professionally employed as a Telecommunications Manager in the retail (telephone catalog sales) industry, and I have no commercial or financial interest in any aspect of amateur radio.

Respectfully Submitted,



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September 21, 1992